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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,864	08/10/2000	Jeffrey M. Friedman	600-1-087CIP1	6312

7590

09/10/2002

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EXAMINER

SAOUD, CHRISTINE J

ART UNIT

PAPER NUMBER

1647

DATE MAILED: 09/10/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.



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DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed on 07 June 2002 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicant did not include an election of invention of nucleic acid for Group I to be examined even though the requirement was traversed. As stated in the previous Office action at page 7, each nucleic acid/polypeptide/antibody was considered an independent and distinct invention because there no common structural feature which provides for a common utility (i.e. functional properties) shared, and the claims constituted an implied, mis-joined Markush group that contained multiple, independent and distinct inventions. Applicant is required to elect a single nucleic acid which is a single invention.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Saoud, Ph.D., whose telephone number is (703) 305-7519. The examiner can normally be reached on Monday to Thursday from 8AM to 2PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached on (703) 308-4310. The fax phone number for this Group is (703) 308-0294.

Official papers filed by fax should be directed to (703) 308-4227. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

CHRISTINE J. SAOUD
PRIMARY EXAMINER
Christine J. Saoud